

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

Vicki Smith,	§	CIVIL ACTION NO. 09-2596
Plaintiff,	§	
	§	
vs.	§	
	§	
Cox Radio, Inc.	§	
Defendant	§	A JURY IS DEMANDED

PLAINTIFF'S DESIGNATION OF EXPERT WITNESSES

____ The plaintiff, Vicki Smith, designates the following persons as Expert Witnesses in this case:

1. Dr. Ken Lehrer
5555 Del Monte Drive - Suite 802
Houston, Texas 77056
(713) 972 - 7912

Dr. Lehrer may be called at trial to offer expert testimony regarding Ms. Smith's economic damages.

2. Dr. Greg McLauchlin
The Neurology Center
7505 S Main, Suite 290
Houston, TX 77030
713-795-0074

Dr. McLauchlin may be called at trial to offer expert testimony regarding Ms. Smith's medical condition, Multiple Sclerosis.

3. Katherine L. Butler
Butler & Harris
1007 Heights Boulevard
Houston, Texas 77008
(713) 526-5677

4. Margaret A. Harris
Butler & Harris
1007 Heights Boulevard

Houston, Texas 77008
(713) 526-5677

5. John Griffin
Marek, Griffin & Knaupp
203 N. Liberty Street
Victoria, Texas 77901
(361) 573-5500

Expert reports and the required attachments have been provided to defense counsel for Dr. Lehrer and Dr. McLauchlin.

The last three individuals will not testify at trial, but they may be called upon to testify about attorneys fees post-trial. The subject matter about which these individuals (hereafter collectively the "attorneys' fees experts") are expected to testify includes: the subject of attorneys' fees, what a reasonable and necessary amount of attorneys' fees and expenses would be for the prosecution, handling and appeal of this case and whether the time and activities undertaken by plaintiff's attorneys were reasonable and necessary.

The mental impressions and opinions held by the attorneys' fees experts are that the hourly value of attorneys' fees incurred by the Plaintiff to prosecute this case to date and through the time of trial has been and is reasonable and necessary in the area; that the hourly rates charged by the attorneys and paralegals in this case are fair and reasonable in area; that the work they performed was necessary and reasonable; and in the event of an appeal of this case, the necessary attorneys fees that would be incurred to defend same.

The facts known to the attorneys' fees experts include: the attorneys' fees experts' education, experience, background, and training; a review of the Plaintiff's most recent Complaint and Defendants' most recent Answer filed in this case; knowledge of Plaintiff's attorney's law practice, teaching, publications, education, training and experience; knowledge about Plaintiff's counsel's reputation; the knowledge that all lawyers are Fellows of the College of Labor & Employment Lawyers.

Respectfully submitted,

/s/ Katherine L. Butler
Texas Bar No. 03526300
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Certificate of Service

I certify that a true and correct copy of this document has been served upon the defendant's counsel via the electronic filing system of the U.S. District Court for the Southern District of Texas on the 30th day of June 2010, to:

Jay Aldis
Bracewell & Giuliani, LLP
711 Louisiana, Suite 2300
Houston, Texas 77002

/s/ Katherine L. Butler